

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

CIVIL ACTION NO. 04-30177-PBS

**JOEL PENTLARGE,
Plaintiff,**

v.

**ROBERT MURPHY, *et al.*,
Defendants.**

**MOTION OF DEFENDANTS THE MASSACHUSETTS
DEPARTMENT OF CORRECTION, ROBERT MURPHY AND
KATHLEEN DENNEHY TO DISMISS THE COMPLAINT,
SUPPLEMENTAL COMPLAINT AND SECOND
SUPPLEMENTAL COMPLAINT**

Pursuant to Fed. R. Civ. P. 12(b)(6), defendants, Massachusetts Department of Correction (“DOC”), Robert Murphy and Kathleen Dennehy, move to dismiss the Complaint, the Supplemental Complaint and the Second Supplemental Complaint. The grounds for this motion are stated in the accompanying memorandum of law.

Defendants Massachusetts Department of
Correction, Robert Murphy and Kathleen
Dennehy,

NANCY ANKERS WHITE
Special Assistant Attorney General

By: /s/ Mary P. Murray
Mary P. Murray, Counsel (BBO # 555215)
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Dated: March 1, 2005

Certificate of Service

I hereby certify that I caused a copy of the within document to be served as follows:
(1) *Pro Se* Plaintiff Joel Pentlarge, by intra-facility mail, Massachusetts Treatment Center
30 Administration Road, Bridgewater, MA 02324

&

(2) Defendants Natalya Pushkina and Debra O'Donnell, by first class mail, postage pre-paid
upon their counsel of record, Kevin Mulvey, Esquire, Mulvey & Sneider, LLP, 1622A Beacon
Street, Brookline, MA 02446-2201.

/s/ Mary P. Murray
Mary P. Murray

Dated: March 1, 2005